

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR ACCESS TO AN ABANDONED APPLICATION UNDER 37 CFR 1.14

Bring completed form to:
File Information Unit, Room 2E04
2900 Crystal Drive
Arlington, VA 22202-3514

Telephone: (703) 308-2733

In re Application of

Application Number

09/268542

Filed

Mar 4, 1999

Paper No. 13

I hereby request access under 37 CFR 1.14(a)(1)(iv) to the application file record of the above-identified ABANDONED application, which is not within the file jacket of a pending Continued Prosecution Application (CPA) (37 CFR 1.53(d)) and which is identified in, or to which a benefit is claimed, in the following document (as shown in the attachment):

United States Patent Application Publication No. _____, page, _____ line _____,

United States Patent Number 6951894, column _____, line, _____ or

WIPO Pub. No. _____, page _____, line _____.

Related Information About Access to Applications Maintained in the Image File Wrapper System (IFW) and Access to Pending Applications in General

A member of the public, acting without a power to inspect, cannot order applications maintained in the IFW system through the FIU. If the member of the public is entitled to a copy of the application file, then the file is made available through the Public Patent Application Information Retrieval system (Public PAIR) on the USPTO internet web site (www.uspto.gov). Terminals that allow access to Public PAIR are available in the Public Search Room. The member of the public may also be entitled to obtain a copy of all or part of the application file upon payment of the appropriate fee. Such copies must be purchased through the Office of Public Records upon payment of the appropriate fee (37 CFR 1.19(b)).

For published applications that are still pending, a member of the public may obtain a copy of:

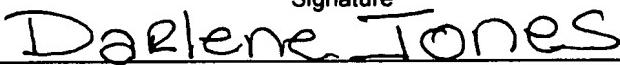
the file contents; the pending application as originally filed; or any document in the file of the pending application.

For unpublished applications that are still pending:

- (1) If the benefit of the pending application is claimed under 35 U.S.C. 119(e), 120, 121, or 365 in another application that has: (a) issued as a U.S. patent, or (b) published as a statutory invention registration, a U.S. patent application publication, or an international patent application publication in accordance with PCT Article 21(2), a member of the public may obtain a copy of: the file contents; the pending application as originally filed; or any document in the file of the pending application.
- (2) If the application is incorporated by reference or otherwise identified in a U.S. patent, a statutory invention registration, a U.S. patent application publication, or an international patent application publication in accordance with PCT Article 21(2), a member of the public may obtain a copy of the pending application as originally filed.



Signature



Typed or printed name

Registration Number, if applicable

703 418 -0330

Telephone Number

Date

RECEIVED	
FOR OFFICE USE ONLY	
Approved by:	DEC 22 2005
(initials)	
Unit: File Information Unit	

This collection of information is required by 37 CFR 1.11 and 1.14. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. BRING TO: File Information Unit, Room 2E04, 2900 Crystal Drive, Arlington, Virginia.



US006951894B1

13

(12) United States Patent
Nicolson et al.

(10) Patent No.: US 6,951,894 B1
(45) Date of Patent: *Oct. 4, 2005

(54) EXTENDED WEAR OPHTHALMIC LENS

(75) Inventors: Paul Clement Nicolson, Dunwoody, GA (US); Richard Carlton Baron, Alpharetta, GA (US); Peter Chabreczek, Basel (CH); John Court, Ultimo (AU); Angelika Domschke, Lörrach (DE); Hans Jörg Grieser, The Patch (AU); Arthur Ho, Randwick (AU); Jens Höpken, Lörrach (CH); Bronwyn Glenice Laycock, Heidelberg Heights (AU); Qin Liu, Duluth, GA (US); Dieter Lohmann, Munchenstein (CH); Gordon Francis Meiss, Murumbeena (AU); Eric Papaspiliopoulos, Paddington (AU); Judy Smith Riffle, Blacksburg, VA (US); Klaus Schindhelm, Cherrybrook (AU); Deborah Sweeney, Roseville (AU); Wilson Leonard Terry, Jr., Alpharetta, GA (US); Jürgen Vugt, Fribourg (CH); Lynn Cook Winterton, Alpharetta, GA (US)

(73) Assignee: CIBA Vision Corporation, Duluth, GA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

This patent is subject to a terminal disclaimer.

(21) Appl. No.: 09/640,526

(22) Filed: Aug. 17, 2000

Related U.S. Application Data

(63) Continuation of application No. 09/262,542, filed on Mar. 4, 1999, now abandoned, which is a continuation of application No. 09/108,714, filed on Jul. 1, 1998, now Pat. No. 5,965,631, which is a division of application No. 08/689,452, filed on Jul. 17, 1996, now Pat. No. 5,849,811, which is a division of application No. 08/569,816, filed on Dec. 8, 1995, now Pat. No. 5,760,100, which is a continuation-in-part of application No. 08/301,166, filed on Sep. 6, 1994, now abandoned. (155)

(30) Foreign Application Priority Data

Apr. 4, 1995 (DE)	95810221	
May 19, 1995 (CH)	1496/95	
(51) Int. Cl. 7		C08K 3/00
(52) U.S. Cl.		523/107; 523/106; 523/108
(58) Field of Search		523/106, 107

(56) References Cited

U.S. PATENT DOCUMENTS

2,718,516 A	9/1955	Bortnick
3,284,406 A	11/1966	Nelson
3,518,324 A	6/1970	Polmanter
3,700,573 A	10/1972	Leizler
3,708,225 A	1/1973	Misch et al.

3,808,178 A	4/1974	Gaylord
3,916,033 A	10/1975	Merrill
3,935,342 A	1/1976	Lim
3,959,102 A	5/1976	Wajs et al.
3,959,105 A	5/1976	Feneberg et al.
3,996,187 A	12/1976	Travnicek
4,008,198 A	2/1977	Krohberger et al.
4,062,627 A	12/1977	Wajs et al.
4,095,878 A	6/1978	Fanti
4,099,859 A	7/1978	Merrill
4,112,207 A	9/1978	Jones
4,114,993 A	9/1978	Travnicek
4,120,570 A	10/1978	Gaylord
4,128,318 A	12/1978	Sieglauff et al.
4,136,250 A	1/1979	Mueller et al.
4,143,949 A	3/1979	Chen
4,152,508 A	5/1979	Ellis et al.
4,153,641 A	5/1979	Deichert et al.
4,156,066 A	5/1979	Gould
4,156,067 A	5/1979	Gould
4,166,255 A	8/1979	Graham
4,169,119 A	9/1979	Covington
4,182,822 A	1/1980	Chang
4,186,026 A	1/1980	Rosenberg et al.
4,189,546 A	2/1980	Deichert et al.
4,195,030 A	3/1980	Deichert et al.
4,197,266 A	4/1980	Clark et al.
4,198,131 A	4/1980	Birdsall et al.
4,208,362 A	6/1980	Deichert et al.
4,208,506 A	6/1980	Deichert et al.

(Continued)

FOREIGN PATENT DOCUMENTS

EP	0114894 A1	7/1983
EP	0108886 A2	9/1983

(Continued)

OTHER PUBLICATIONS

Plaintiff's Ciba Vision's Memorandum in Opposition to Defendant's Motion for Summary Judgment, May 31, 2002 with Exhibits 1-7.

Bausch & Lomb's Expert Reports, Jean M. Frechet, Jun. 24, 2002; Dr. Erwin A. Vogler, Jun. 24, 2002; Preliminary Report of William J. Benjamin, Jun. 24, 2002; Preliminary Report of Dr. William Daly, Jun. 24, 2002 and Nonpublicly Available Exhibits to Daly Report, Jun. 24, 2002.

(Continued)

Primary Examiner—Edward J. Cain
(74) Attorney, Agent, or Firm—Banner & Witcoff, Ltd.

(57)

ABSTRACT

RECEIVED
DEC 22 2005

An ophthalmic lens suited for extended-wear periods of at least one day on the eye without a clinically significant amount of corneal swelling and without substantial discomfort. The lens has a balance of oxygen permeability and ion or water permeability, with the ion or water permeability being sufficient to provide good on-eye movement, such that a good tear exchange occurs between the lens and the eye. A preferred lens is a copolymerization product of a oxyperm macromer and an ionoperm monomer. The invention encompasses extended wear contact lenses, which include a core having oxygen transmission and ion transmission pathways extending from the inner surface to the outer surface.

84 Claims, No Drawings

w/deg
APP ONLY